

## **Civil Rights Section Hourly Rate Survey Results**

In March 2008, the Oregon State Bar conducted a survey on behalf of the Civil Rights Section on hourly rates for Oregon lawyers. The survey aimed to provide detailed information on hourly rates charged by attorneys in specific areas of practice. *To see more detailed results from the survey, please see the attached printouts. All results in this report pertain to members of the Civil Rights Section and might not represent all Oregon lawyers.*

### **Methodology and Response Rate**

All members of the Civil Rights Section with an email address on file with the bar were invited (via email) to participate. Of the 271 possible respondents, we received 55 responses, for a 20.3% response rate. Respondents were asked four questions: geographic area, firm size, years of experience, and hourly rates for specific practice areas.

### **Demographics**

Survey respondents came from five regions: Downtown Portland, the Tri-County Area, the Upper Willamette Valley, the Lower Willamette Valley and Southern Oregon.

The majority, 57%, work in law firms with five or fewer attorneys.

The average number of years spent in a practice area is 14-16, with the largest groups represented having practiced 14-16 and 11-13 years (17% and 15% of the total respectively).

### **Discussion of Survey Responses**

#### ***Percent of time devoted to an Area of Practice (AoP)***

Respondents were asked to specify how much of their work is devoted to a specific AoP. The majority indicated they practice in multiple fields, with only 12% (1 in 8) devoting their entire practice to a specific area and 39% spending 60% or more of their time on a single area of practice.

#### ***Experience in a specific AoP***

When examining the amount of time spent in a specific AoP, the results seem to skew towards attorneys who have been in practice for less than 20 years. The range of data goes from 0 years of experience up to 41+ years of experience, but a full 74% of respondents indicated 20 years of experience or less and 19% have been in practice for less than 10 years.

***Representation of AoPs***

Six different AoPs were listed. Respondents were asked which areas they practice in, and could choose more than one option. The most-represented groups were: Title VII Employment (35% of responses) and General Employment Law (28% of responses). The least-represented groups were: Prisoner Litigation (1% of responses) and 1st Amendment Cases (8% of responses).

***Hourly Rates Aggregate***

Because individual respondents sometimes provided rates for more than one AoP, the total number of responses for Civil Rights hourly rates was 95.

***Litigation***

Respondents in this section reported hourly rates in intervals of \$25. Intervals began at \$50 an hour and progressed up to \$450+ per hour.

No respondents claimed an hourly rate of less than \$100 per hour, and only 5% claimed less than \$150 per hour. A total of 22% of respondents reported rates between \$100 and \$199 per hour. Almost half (45%) reported rates between \$200 and \$299. Approximately one in four (27%) reported rates between \$300 and \$399. And 5% claimed hourly rates of more than \$400.

The average and median rate for Civil Rights lawyers is approximately \$250 per hour.

***Plaintiff/Defense***

In addition to the hourly rate questions, respondents were asked if they usually worked for the plaintiff or for the defense. Most (70%) represent the plaintiff, while the rest (30%) work for the defense.

What region (county) is your office in?		
Answer Options	Response Percent	Response Count
Downtown Portland	65.5%	36
Tri-County area (Washington, Multnomah, Clackamas)	10.9%	6
Oregon Coast (Columbia, Clatsop, Tillamook, Lincoln, Coos, Curry)	0.0%	0
Upper Willamette Valley (Yamhill, Polk, Marion)	9.1%	5
Lower Willamette Valley (Benton, Linn, Lane)	10.9%	6
Southern Oregon (Douglas, Josephine, Jackson, Klamath)	0.0%	0
Central Oregon (Deschutes, Crook, Jefferson)	3.6%	2
Eastern Oregon (all other Oregon counties)	0.0%	0
<i>answered question</i>		55
<i>skipped question</i>		0

What size is your firm?		
Answer Options	Response Percent	Response Count
Sole practitioner	27.8%	15
2-5 Attorneys	29.6%	16
6-10 Attorneys	7.4%	4
11-15 Attorneys	5.6%	3
16-20 Attorneys	7.4%	4
21-25 Attorneys	1.9%	1
26-30 Attorneys	3.7%	2
31-35 Attorneys	0.0%	0
36-40 Attorneys	1.9%	1
41-45 Attorneys	0.0%	0
46-50 Attorneys	0.0%	0
51-75 Attorneys	0.0%	0
76-100 Attorneys	0.0%	0
101+ Attorneys	14.8%	8
<i>answered question</i>		54
<i>skipped question</i>		1

How long have you been practicing law?		
Answer Options	Response Percent	Response Count
0-2 Years	5.6%	3
3-5 Years	7.4%	4
5-7 Years	5.6%	3
8-10 Years	0.0%	0
11-13 Years	14.8%	8
14-16 Years	16.7%	9
17-19 Years	1.9%	1
20-22 Years	3.7%	2
23-25 Years	20.4%	11
26-28 Years	3.7%	2
29-31 Years	11.1%	6
32-34 Years	1.9%	1
35-37 Years	1.9%	1
38-40 Years	0.0%	0
41-44 Years	0.0%	0
45+ Years	5.6%	3
<i>answered question</i>		54
<i>skipped question</i>		1

Percent of practice devoted to this type of case						
Answer Options	20%	40%	60%	80%	100%	Totals
Municipal tort claim litigation	13	2			1	16
Police misconduct litigation	8	2	1			11
1st Amendment	8					8
Prisoner litigation			1			1
Title VII Employment	7	11	9	6	2	35
General Employment	4	5	5	5	9	28
<b>TOTALS:</b>	<b>40</b>	<b>20</b>	<b>16</b>	<b>11</b>	<b>12</b>	<b>99</b>
<b>% of Total:</b>	<b>40.40%</b>	<b>20.20%</b>	<b>16.16%</b>	<b>11.11%</b>	<b>12.12%</b>	

Number of years handling this type of case										
Answer Options	<5	5-10	11-15	16-20	21-25	26-30	31-35	36-40	41+	Totals
Municipal tort claim litigation	3	4	3	2	3	2				17
Police misconduct litigation	4	3	1	2	1					11
1st Amendment	4	2	2	1	1					10
Prisoner litigation	2									2
Title VII Employment	4	8	9	3	7	3	1			35
General Employment	2	8	7	2	5	2	1	1		28
<b>TOTALS:</b>	<b>19</b>	<b>25</b>	<b>22</b>	<b>10</b>	<b>17</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>103</b>
<b>% of Total:</b>	<b>18.45%</b>	<b>24.27%</b>	<b>21.36%</b>	<b>9.71%</b>	<b>16.50%</b>	<b>6.80%</b>	<b>1.94%</b>	<b>0.97%</b>	<b>0.00%</b>	

AVERAGE

Hourly rate charged for this type of case																		
Answer Options	\$50-\$74	\$75-\$99	\$100-\$124	\$125-\$149	\$150-\$174	\$175-\$199	\$200-\$224	\$225-\$249	\$250-\$274	\$275-\$299	\$300-\$324	\$325-\$349	\$350-\$374	\$375-\$399	\$400-\$424	\$425-\$449	\$450+	Totals
Municipal tort claim litigation			1		1	2	2	3	2		4							15
Police misconduct litigation			1	1	1	2	1	1	2		1							10
1st Amendment					1	2	1	2	1		1							8
Prisoner litigation			1								1							2
Title VII Employment					1	4	4	4	4	4	4	1	2	3	1			32
General Employment			1		1	1	5	3	2	2	1	5	1	2	3	1		28
<b>TOTALS:</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>11</b>	<b>13</b>	<b>13</b>	<b>11</b>	<b>6</b>	<b>12</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>95</b>
<b>% of Total:</b>	<b>0.00%</b>	<b>0.00%</b>	<b>4.21%</b>	<b>1.05%</b>	<b>5.26%</b>	<b>11.58%</b>	<b>13.68%</b>	<b>13.68%</b>	<b>11.58%</b>	<b>6.32%</b>	<b>12.63%</b>	<b>6.32%</b>	<b>3.16%</b>	<b>5.26%</b>	<b>4.21%</b>	<b>1.05%</b>	<b>0.00%</b>	

AVERAGE

Plaintiff or Defense			
Answer Options	Plaintiff	Defense	Totals
Municipal tort claim litigation	13	3	16
Police misconduct litigation	8	3	11
1st Amendment	9	1	10
Prisoner litigation	2	1	3
Title VII Employment	18	13	31
<b>TOTALS:</b>	<b>50</b>	<b>21</b>	<b>71</b>
<b>% of Total:</b>	<b>70.42%</b>	<b>29.58%</b>	